

REMARKS

In the final Office Action, the Examiner rejects claims 22-25 under 35 U.S.C. § 102(e) as anticipated by ALEXANDER et al. (U.S. Patent No. 6,798,767); rejects claims 23-25 under 35 U.S.C. § 102(e) as anticipated by TAKAHASHI (U.S. Patent No. 6,754,328); and allows claims 1-12 and 14-21. Applicant respectfully traverses the rejections under 35 U.S.C. 102. Claims 1-12 and 14-25 remain pending.

At the outset, Applicant notes with appreciation the indication that claims 1-12 and 14-21 are allowable over the art of record.

Claims 22-25 stand rejected under 35 U.S.C. § 102(e) as allegedly anticipated by ALEXANDER et al. Applicant respectfully traverses this rejection.

A proper rejection under 35 U.S.C. § 102 requires that a single reference teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present. See M.P.E.P. § 2131. ALEXANDER et al. does not disclose or suggest features of claims 22-25.

For example, independent claim 22 is directed to a hybrid type telephony system that includes a first switch configured to perform time division switching of signals; a second switch configured to switch packets from a source to a destination; a gateway configured to convert signals to packets and forward the packets to the second switch, and convert packets from the second switch to signals and forward the signals to the first switch; and a control unit configured to control the first switch, the second switch, and the gateway via a control bus. ALEXANDER et al. does not disclose or suggest this combination of features.

For example, ALEXANDER et al. does not disclose or suggest a control unit configured to control the first switch, the second switch, and the gateway via a control bus. The Examiner does not address this feature in the Office Action. Accordingly, a proper case of anticipation has not been established with respect to claim 22.

Nevertheless, ALEXANDER et al. discloses a system 10 in which IP telephone devices 22-25, 42, and 44 can communicate with non-IP telephone devices 54, 55, 67, 68, 69, 70, and 71 (Fig. 1). ALEXANDER et al. discloses a call manager 26a that controls IP telephone devices 22-24 (col. 4, lines 25-26).

The Examiner alleges that central office 62a corresponds to the first switch recited in claim 22, LAN 20a corresponds to the second switch recited in claim 22, and gateway 52 corresponds to the gateway recited in claim 22. While not acquiescing to the Examiner's allegation, Applicant submits that ALEXANDER et al. does not disclose or suggest control manager 26a (or any other device in system 10) being configured to control the central office 62a, LAN 20a, and gateway 52 via a control bus.

Applicant respectfully requests that the Examiner specifically address this feature or withdraw the rejection.

For at least the foregoing reasons, Applicant submits that claim 22 is not anticipated by ALEXANDER et al.

Independent claim 23 recites features similar to, yet possibly of different scope than, features described above with respect to claim 22. Therefore, Applicant submits that claim 23 is not anticipated by ALEXANDER et al. for at least reasons similar to reasons given above with respect to claim 22.

Claims 24 and 25 depend from claim 23. Therefore, these claims are not anticipated by ALEXANDER et al. for at least the reasons given above with respect to claim 23.

Claims 23-25 stand rejected under 35 U.S.C. § 102(e) as allegedly anticipated by TAKAHASI. Applicant respectfully traverses this rejection.

As set forth above, a proper rejection under 35 U.S.C. § 102 requires that a single reference teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present. See M.P.E.P. § 2131.

TAKAHASI does not disclose or suggest features of claims 23-25.

For example, independent claim 23 is directed to a device comprising a time-division switch configured to process voice calls to and from a first type of telephone set; an Internet Protocol (IP) switch configured to process voice calls to and from a second type of telephone set; a gateway circuit configured to convert signals between the first type of telephone set and the second type of telephone set; and a central control unit connected to the time-division switch, the IP switch, and the gateway via a control bus and being configured to manage the time-division switch, the IP switch, and the gateway to allow for voice communications between the first type of telephone set and the second type of telephone set. TAKAHASI does not disclose or suggest this combination of features.

For example, TAKAHASI does not disclose or suggest an IP switch configured to process voice calls to and from a second type of telephone set. The Examiner relies on element 113-1 in TAKAHASI's Fig. 12 as allegedly corresponding to the recited IP

switch (Office Action, pg. 3). Applicant respectfully disagrees with the Examiner's interpretation of TAKAHASI.

Element 113-1 in TAKAHASI's Fig. 12 corresponds to a line interfacing part. TAKAHASI in no way discloses or suggests that line interfacing part 113-1 is configured to process voice calls to and from a second type of telephone set, as required by claim 23. In stark contrast, TAKAHASI's line interfacing part 113-1 seems to merely forward packets to Internet 102 (see Fig. 12 and col. 3, lines 7-13). One skilled in the art would readily appreciate that forwarding packets to the Internet is not the same as processing voice calls to and from a second type of telephone set, as required by claim 23. Moreover, TAKAHASI specifically discloses that processor 112-1 (and not line interfacing part 113-1) performs call processing (see col. 3, lines 41-44).

If this rejection is maintained, Applicant respectfully requests that the Examiner specifically point out where TAKAHASI discloses that line interfacing part 113-1 is configured to process voice calls to and from a second type of telephone set, as required by claim 23.

TAKAHASI does not further disclose a central control unit connected to the time-division switch, the IP switch, and the gateway via a control bus and being configured to manage the time-division switch, the IP switch, and the gateway to allow for voice communications between the first type of telephone set and the second type of telephone set, as also recited in claim 23. The Examiner relies on elements 112-1 and 120-1 as allegedly corresponding to the recited central control unit and element 111 as allegedly corresponding to the recited control bus (Office Action, pg. 3). Applicant respectfully

disagrees with the Examiner's interpretation of TAKAHASI.

Elements 112-1 and 120-1 in Fig. 12 of TAKAHASI correspond to processors. TAKAHASI discloses that processor 112-1 controls call processing (see col. 3, lines 41-44). TAKAHASI does not disclose or suggest that processor 112-1 is configured to manage a time-division switch, an IP switch, and a gateway to allow for voice communications between the first type of telephone set and the second type of telephone set, as required by claim 23.

TAKAHASI seems to disclose that processor 120-1 controls VOIP gateway 109-1. Processor 120-1 does not connect to communication line 111, which the Examiner alleges corresponds to the recited control bus. Therefore, Applicant submits that TAKAHASI's processor 120-1 cannot reasonably be construed to correspond to a central control unit that connects to a time-division switch, an IP switch, and a gateway via a control bus and is configured to manage the time-division switch, the IP switch, and the gateway to allow for voice communications between the first type of telephone set and the second type of telephone set, as required by claim 23. Moreover, processor 120-1 is part of VOIP gateway 109-1, which the Examiner alleges corresponds to the recited gateway circuit. Therefore, Applicant submits that it is not reasonable to allege that processor 120-1 corresponds to the recited central control unit since claim 23 specifically recites that the central control unit connects to the gateway via a control bus.

For at least the foregoing reasons, Applicant submits that claim 23 is not anticipated by TAKAHASI.

Claims 24 and 25 depend from claim 23. Therefore, these claims are not

anticipated by TAKAHASI for at least the reasons given above with respect to claim 23.

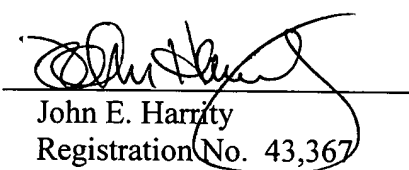
In view of the foregoing remarks, Applicant respectfully requests the Examiner's reconsideration of this application, and the timely allowance of the pending claims.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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Date: December 28, 2005

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